

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Keisha B.,

Case No. 20-cv-1794 (DSD/HB)

Plaintiff,

v.

REPORT & RECOMMENDATION

Kilolo Kijakazi, Acting Commissioner
of Social Security,

Defendant.

HILDY BOWBEER, United States Magistrate Judge

This case was remanded to the Commissioner of Social Security for further administrative action, pursuant to sentence 4 of 42 U.S.C. § 405(g). (Order, February 3, 2022 [ECF No. 33].) Plaintiff subsequently filed a motion for attorney's fees and costs pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), seeking \$11,913.99 in attorney's fees. [ECF No. 37.] The Commissioner does not object to the amount requested, but asks that any order provide that the award of attorney's fees be paid to Plaintiff, as the litigant, subject to offset to satisfy any pre-existing debt owed by Plaintiff to the United States. *Astrue v. Ratliff*, 560 U.S. 586 (2010).

Accordingly, IT IS HEREBY RECOMMENDED that

1. Plaintiff's Motion [ECF No. 37] be GRANTED; and
2. Plaintiff be awarded \$11,913.88 in attorney fees, with such award to be paid to Plaintiff and mailed to Plaintiff's counsel of record.

Dated: May 31, 2022

s/ Hildy Bowbeer

HILDY BOWBEER

United States Magistrate Judge

NOTICE

This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals. Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. LR 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in LR 72.2(c).